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Congress of the United States

House of Representatives

Washington, DC 20515-3306

August 3, 2010

COMMITTEES:

JUDICIARY

RANKING MEMBER,
SUBCOMMITTEE ON COURTS
AND COMPETITION POLICY

**TRANSPORTATION AND
INFRASTRUCTURE**

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The Hon. Julius Genachowski
Chairman
Federal Communications Commission
445 12 Street, SW
Washington, D.C. 20544

Dear Chairman Genachowski:

It is my understanding that retransmission consent negotiations between content providers and multichannel video programming distributors have become increasingly controversial.

In a perfect world the free market would drive these negotiations but the reality is that retransmission consent negotiations are not free from government involvement. This is complicated by another reality; the marketplace is subject to rapid change as new technologies come online.

The Federal Communications Commission has a responsibility to ensure the interests of consumers are not undermined when retransmission consent negotiations break down. With that in mind, I would support the Commission reviewing these negotiations. That being said, I do not advocate that the Commission take any specific action.

Sincerely,

HOWARD COBLE
Member of Congress

HC:jfm

*MB
Retransmission
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 28, 2010

OFFICE OF
THE CHAIRMAN

The Honorable Howard Coble
U.S. House of Representatives
2468 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Coble:

Thank you for your letter concerning the potential negative impact of retransmission consent disputes on consumers. I share your concern about possible service interruptions caused by stalled negotiations between local broadcast television stations and multichannel video programming distributors (MVPDs). Consumers should not bear the brunt of corporate negotiation problems.

As you may know, a coalition representing a number of MVPDs and public interest groups submitted a *Petition for Rulemaking* to reform the retransmission consent rules. The *Petition* asks that the Commission adopt new mechanisms for mandatory arbitration when MVPDs and broadcasters fail to reach retransmission consent agreements, and require continued carriage of broadcast signals during the negotiation or dispute resolution process. The *Petition* also requests the adoption of rules to change the practice of tying broadcast programming to the carriage of nonbroadcast services.

The Commission's Media Bureau issued a *Public Notice* inviting comment on the issues and proposals discussed in the *Petition*. The comment period recently closed and the Bureau is reviewing the record compiled in the proceeding to develop recommendations for Commission consideration. Given the importance of this matter to a wide range of consumers, we intend to treat this matter seriously.

I appreciate your interest in this important matter. Please do not hesitate to let me know if I can be of further assistance.

Sincerely,

Julius Genachowski